

68-05.-04

RCE

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<p style="text-align: center;">Request For Continued Examination (RCE) Transmittal</p> <p>Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>	<i>O I P E</i>	<i>AUG 04 2004</i>	<i>PATENT & TRADEMARK OFFICE</i>
	Application Number	09/502,426	
	Filing Date	February 11, 2000	
	First Named Inventor	Ricardo Azpiroz et al.	
	Group Art Unit	1638	
	Examiner Name	Ashwin Mehta	
Attorney Docket Number	11696-070001		

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. §1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s)
 - a. Previously submitted. If a final Office action is outstanding, any amendment filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. Other _____
 - b. Enclosed

i. <input checked="" type="checkbox"/> Amendment/Reply	iii. <input type="checkbox"/> Information Disclosure Statement (IDS)
ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)	iv. <input checked="" type="checkbox"/> Other <u>Pet for Extension of Time w/ check for \$475.00; annotated drawings; replacement drawings</u>
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
 - b. Other _____
3. **Fee** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1050

i. <input type="checkbox"/> RCE fee required under 37 CFR 1.17(e)	08/06/2004 CCHAU1 00000045 09502426
ii. <input type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17)	01 FC:2801 385.00 OP
iii. <input checked="" type="checkbox"/> Other <u>Any deficiencies</u>	
 - b. Check in the amount of \$385.00 enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Teresa A. Lavoie, Ph.D.	Registration No. (Attorney/Agent)	42,782
Signature	<i>Teresa A. Lavoie</i>	Date	August 4, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Angela J. Montgomery	Date	August 4, 2004
Signature	<i>Angela J. Montgomery</i>	Date	August 4, 2004



Attorney's Docket No.: 11696-070001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ricardo Azpiroz et al.

Art Unit : 1638

Serial No. : 09/502,426

Examiner : Ashwin Mehta

Filed : February 11, 2000

Title : DWF4 POLYNUCLEOTIDES, POLYPEPTIDES AND USES THEREOF

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT AND REPLY TO ACTION OF FEBRUARY 4, 2004

In response to the Office Action of February 4, 2004, Applicants submit the following remarks and amendments.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV467324790US

August 4, 2004

Date of Deposit